

REMARKS

1. An Office Action requiring Applicants to elect a single invention for prosecution on the merits was mailed June 13, 2007. In response to the Election/Restriction Requirement, Applicants submit this Response to Election/Restriction Requirement.

Restriction Requirement

2. The Examiner has required the election of a single invention for prosecution on the merits. The Examiner alleged that the originally filed claims are directed to the following three (3) patentably distinct inventions:

- a. Group I – claims 1-21, 32-34 and 38, drawn to an implantable component of a cochlear implant system and method of adjusting the position of the implantable component.
- b. Group II– claims 23-31, drawn to an external component of a cochlear implant system with a support and a signal transmitter antenna movable mounted to the support.
- c. Group III– claims 35-37, drawn to an implantable component of a cochlear implant system that is substantially symmetric about a longitudinal and/or lateral plane.

Provisional Election

3. In accordance with 37 CFR § 1.143 and MPEP 818.03(b), Applicants hereby provisionally elect, with traverse, the claims of Group I, namely, claims 1-21, 32-34 and 38.

4. Applicants do not intend to dedicate non-elected claims to the public and reserve the right to file divisional applications for the subject matter covered by the non-elected claims.

5. The inventorship for the invention of the elected claims is the same as the inventorship of record in this application.

Conclusion

6. In view of the foregoing, it is respectfully submitted that this application is in condition for allowance and favorable action is respectfully solicited.

Respectfully submitted,



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